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10/762,793	01/22/2004	Tatsuo Yokota	ALPINE.035AUS	5428

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MURAMATSU & ASSOCIATES

Suite 310

114 Pacifica

Irvine, CA 92618

EXAMINER

MANCHO, RONNIE M

ART UNIT

PAPER NUMBER

3663

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/762,793	<b>Applicant(s)</b> YOKOTA, TATSUO	
	<b>Examiner</b> Ronnie Mancho	<b>Art Unit</b> 3663	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Remark***

1. This is a first action on an RCE.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being unpatentable over DeLorme et al (6321158).

Regarding claim 1, DeLorme et al (abstract, cols; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose a display method for a navigation system, comprising the steps of:

examining a position of a destination and monitoring a current position of a user during a travel to the destination where the current position is away from the destination;

retrieving information on time zones and observation of daylight saving time at the current user position and the destination (page 12, item 9);

calculating an estimated time of arrival (ETA) at the destination based on a local time of the destination and observation of daylight saving time of the destination using the retrieved information (col. 6, lines 33-49; col. 18, lines 5-49); and

displaying the ETA expressed by the local time of the destination and a current time, thereby informing the user of the ETA at the destination and the current time (col. 18, lines 5-49) at the current location.

Regarding claim 2, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein said current time informed by the navigation system is produced based on a local time and daylight saving time in a time zone at the current user position or on a local time and daylight saving time in a time zone of a home state of the user (col. 6, lines 33-49; col. 18, lines 5-49).

Regarding claim 3, DeLorme et al (abstract, cols; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein, when the destination is a POI (point of interest), said step of retrieving the information includes a step of retrieving business hour information of the destination POI (col. 9, lines 55-67; fig. 1J,).

Regarding claim 4, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein, when the destination is a POI (point of interest), said step of retrieving the information includes a step of retrieving business hour information of the destination POI, and said step of informing the ETA (col. 5, lines 55-67) includes a step of displaying the business hour of the destination.

Regarding claim 5, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 4, wherein said step of retrieving business hour information of the destination POI includes a step of retrieving business hour information of other POIs in a neighborhood of the destination, and said step of informing

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the business hour of the destination includes a step of displaying the business hours of other POIs.

Regarding claim 6, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a destination POI by selecting a POI (point of interest) from a POI database of the navigation system or from a remote service provider;

retrieving business hour information of the destination POI; and comparing the ETA at the destination POI and the business hour information and informing an estimated open/close state of the destination POI at a time of arrival at the destination.

Regarding claim 7, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a type or name of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

retrieving business hour information of the POIs from the POI database or from a remote service provider through a wireless communication; and comparing the ETA at the destination and the business hour information of the POIs and informing estimated open/close states of the POIs at a time of arrival at the destination.

Regarding claim 8, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication; comparing the ETA at the destination and the business hour information of the POIs; and listing the specified type of POIs sorted by distance from a reference location or the destination wherein each POI in the list is accompanied by an estimated remaining business hour at a time of arrival at the destination.

Regarding claim 9, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 8, wherein the estimated remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by availability icons using predetermined shapes or colors.

Regarding claim 10, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising:

specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication;

comparing the ETA at the destination and the business hour information of the POIs; and listing the specified type of POIs in the neighborhood area of the destination sorted by degrees of remaining business hour at a time of arrival at the destination.

Regarding claim 11, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 10, wherein the degrees of remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by time length icons using predetermined shapes or colors.

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Regarding claim 12, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, further comprising a step of indicating a change of time zone when the current position is at a border or near the boarder of two or more different time zones.

Regarding claim 13, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 12, wherein said step of indicating the time zone change includes a step of displaying the time zone change on a screen, or both displaying and voice announcing the time zone change.

Regarding claim 14, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 12, wherein said step of indicating the time zone change is conducted without regard to whether the navigation system is in a route guidance mode for guiding the user to the destination or a mode other than the route guidance mode.

Regarding claim 15, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display method for a navigation system as defined in claim 1, wherein said step of calculating the ETA includes the steps of: calculating the ETA based on a local time at the destination if the destination belongs to a time zone different from the time zone at the current user position; calculating the ETA based on a local time at the current user position if the destination belongs to the same time zone as the time zone at the current user position; and compensating the ETA for a difference of daylight saving time when the daylight saving time is applied to either the destination or the current user position.

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Regarding claim 16, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system, comprising:

means for examining a position of a destination and monitoring a current position of a user during a travel to the destination where the current position is away from the destination;

means for retrieving information on time zones and observation of daylight saving time at the current user position and the destination;

means for calculating an estimated time of arrival (ETA) at the destination based on a local time of the destination and observation of the daylight saving time of the destination using the retrieved information; and

means for displaying the ETA expressed by the local time of the destination and a current time, thereby informing the user of the ETA at the destination and the current time (col. 18, lines 5-49) at the current location.

Regarding claim 17, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein said current time informed by the navigation system is produced based on a local time and daylight saving time in a time zone at the current user position or on a local time and daylight saving time in a time zone of a home state of the user.

Regarding claim 18, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein, when the destination is a POI (point of interest), said means for retrieving the information includes means for retrieving business hour information of the destination POI.



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Regarding claim 19, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein, when the destination is a POI (point of interest), said means for retrieving the information includes means for retrieving business hour information of the destination POI, and said means for informing the ETA includes means for displaying the business hour of the destination.

Regarding claim 20, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 19, said means for retrieving business hour information of the destination POI includes means for retrieving business hour information of other POIs in a neighborhood of the destination, and said means for informing the business hour of the destination includes means for displaying the business hours of the other POIs.

Regarding claim 21, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for specifying a destination POI by selecting a POI (point of interest) from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the destination POI; and

means for comparing the ETA at the destination POI and the business hour information and informing an estimated open/close state of the destination POI at a time of arrival at the destination.

Regarding claim 22, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

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means for specifying a type or name of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the POIs from the POI database or from the remote service provider through a wireless communication; and

means for comparing the ETA at the destination and the business hour information of the POIs and informing estimated open/close states of the POIs at a time of arrival at the destination.

Regarding claim 23, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication;

means for comparing the ETA at the destination and the business hour information of the POIs; and means for listing the specified type of POIs sorted by distance from a reference location or the destination wherein each POI in the list is accompanied by an estimated remaining business hour at a time of arrival at the destination.

Regarding claim 24, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 23, wherein the estimated remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by availability icons using predetermined shapes or colors.

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Regarding claim 25, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for specifying a type of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider;

means for retrieving business hour information of the specified type of POIs from the POI database or from a remote service provider through a wireless communication; means for comparing the ETA at the destination and the business hour information of the POIs; and

means for listing the specified type of POIs in the neighborhood area of the destination sorted by degrees of remaining business hour at a time of arrival at the destination.

Regarding claim 26, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 25, wherein the degrees of remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by time length icons using predetermined shapes or colors.

Regarding claim 27, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, further comprising means for indicating a change of time zone when the current position is at a border or near the boarder of two or more different time zones.

Regarding claim 28, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 27, wherein said means for indicating the time zone change includes means for displaying the time zone change on a screen, or both displaying and voice announcing the time zone change.

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Regarding claim 29, DeLorme et al (abstract, cols. ; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 27, wherein said means for indicating the time zone change is conducted without regard to whether the navigation system is in a route guidance mode for guiding the user to the destination or a mode other than the route guidance mode.

Regarding claim 30, DeLorme et al (abstract, cols; figs. 1A to 1A1; Pages 4, 5, 9-22) disclose the display apparatus for a navigation system as defined in claim 16, wherein said step of calculating the ETA includes (col. 5, lines 55-67):

means for calculating the ETA based on a local time at the destination if the destination belongs to a time zone different from the time zone at the current user position (col. 18);

means for calculating the ETA based on a local time at the current user position if the destination belongs to the same time zone as the time zone at the current user position (col. 18);  
and

means for compensating the ETA for a difference of daylight saving time when the daylight saving time is applied to either the destination or the current user position (col. 18).

### ***Response to Arguments***

4. Applicant's arguments filed 8/22/06 have been fully considered but they are not persuasive.

The applicant argues that the prior art DeLorme does not disclose "the daylight saving time or the local time at the destination. The argument is traversed. Delorme disclose local time and daylight savings time *anywhere the user of the navigation system is located*. The user in

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the prior art taps the DST option of the system and if daylight saving time is available *at the location* of the user and the second line displays an offset of the time zone of the user. Meaning that if the user is at a destination or at a position different from the destination and taps the DST option, the prior art system will display the time offset or daylight saving time to the user at the destination, (col. 8, lines 35-49).

The applicant further argues that Delorme does not disclose estimated time of arrival (ETA). The argument is traversed. Delorme (col. 5, lines 56-62; col. 14, lines 24-27; col. 27, lines 64-67, etc) disclose ETA. The applicant is encouraged to read the whole disclosure of the prior art instead of just sections of it.

The applicant further argues that it is meaningless if the user can tell the local time at the destination *only* when the user has arrived at the destination. The examiner disagrees with this line of reasoning by the applicant. DeLorme does not limit their invention for the user to view the time at the destination only when the user has arrived at the destination. Infact, nothing is DeLorme suggest or disclose the word “:only”. It addition, when a user leaves one time zone to another time zone, it would advantageous for the user to synchronize his or her clock to the local time of the destination. Thus there is an advantage of displaying the local time of s destination when a user gets to that destination.

The applicant further argues that the examiner is confused with “estimated time of arrival“ and “estimated travel time”. In response, the examiner is not confused at all. It is noted that both times are correlated. The applicant has erred in the interpretation of DeLorme. *It is further noted that the applicant failed to consider the fact that the local time at a current location is the same as the time of the destination given that the destination and the current*

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*location are under the same daylight savings time. As another example, DeLorme (col. 18) disclose Daylight saving time at a current location and also disclose standard time or GMT (Greenwich time) which is a time of a different location or destination. That is if a user is at a current location, a tap on the DST option displays the daylight saving time for that location. It is further noted in addition that a second line on the display discloses Greenwich time, the time at the a different location or the Greenwich meridian if a user is flying or traveling to that different location or destination.*

Therefore as pointed out above, DeLorme disclose a time at a current location and a time at a destination of travel, wherein the destination is away from the current location. Delorme further disclose GPS time, standard time, and daylight savings time where appropriate. Therefore, the prior art anticipates the claims. The rejections are believed to be proper and stand.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These cited prior art all disclose the limitations argued by the applicant. Applicant is encouraged to do a thorough search in the art in reference to the limitations in the claims. US 20050080551, US 20040102931, and US 6177887 all disclose the limitations under argument.

### ***Communication***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 571/272/6894. The examiner can normally be reached on Mon-Thurs: 9-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571/272/6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronnie Mancho  
Examiner  
Art Unit 3663

September 5, 2006

  
JACK KEITH  
SUPERVISORY PATENT EXAMINER